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EXAMINER

SALLIARD, SHANNON S

ART UNIT	PAPER NUMBER
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3628

NOTIFICATION DATE	DELIVERY MODE
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03/29/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 09/886,457	Applicant(s) UDELHOVEN ET AL.	
	Examiner SHANNON S. SALIARD	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 6-23, 25, 28 and 30-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 6-23, 25, 28, and 30-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08 November 2010 has been entered.

Status of Claims

2. Applicant has amended claim 37. Claims 2-3, 5, 24, 26, 27, and 29 have been cancelled. No claims have been newly added. Thus, claims 1, 4, 6-23, 25, 28, 30-44 remain pending and are presented for examination.

Response to Arguments

3. Applicant's arguments filed 08 November 2010, with respect to the rejections of claims 1, 14, and 25 under 35 U.S.C. §103 (a), have been fully considered but they are not persuasive.

4. Applicant argues, with respect to the rejections of claims 1, 14, and 25 under 35 U.S.C. §103 (a), "It is clear from the cited portion that Hollatz is disclosing a situation where calls are waiting in a queue. Because the calls are waiting in a queue, there is no agent available to take the calls. Only when an agent becomes available is the call

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routed. In contrast, Applicant's claims recite the opposite, in particular, "the predetermined threshold is set to insure that one or more travel counselors are available to answer incoming phone requests." In Hollatz, there is no such predetermine threshold set to insure counselors are available. The disclosure in Hollatz specifically indicates the counselors are not available as the calls are waiting for an available agent. As a result, none of Flake, Gardener or Hollatz discloses each and every element of claims 1, 14 or 25. Therefore there are differences between claims 1, 14 and 25 and the combination of Flake, Gardener and Hollatz." However, the Examiner disagrees. First, the Examiner notes that the claim states, "upon determining that a number of available travel counselors within the skill group associated with the task is above a predetermined threshold, *routing the task to a travel counselor within the skill group for further processing the task*, wherein the predetermined threshold is set to insure that one or more travel counselors are available to answer incoming phone requests." Thus, the claim only requires that after a certain number of counselors is determined to be available, routing the call to the counselor within the skill group. It does not matter whether the call has been assigned to particular queue or not, rather it matters that the call is routed to a counselor within that group after it has been determined that a counselor within that group is available. Accordingly, Hollatz discloses "The telephone call is then routed to the matched skill group and to the agent in the skill group who is to receive the next telephone call... if no available agents are currently in the skill group, the call is placed in queue to the skill group until an agent in the skill group becomes available...It is possible that two calls may be placed in common queue waiting for an

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available agent in a single skill group. Preferably, **the call received first by the ACD will receive the first available agent in the skill group.** If two calls are in queues for two different skill groups and an available agent enters both skill groups, there are numerous ways to determine priority for the calls” (col 6, line 58-col 7, line 11). Since the calls are routed to a skill group and when an agent in the skill group is available (the predetermined number of one), the call is answered by that agent in that skill group (the call is routed to an agent *within* the skill group); the limitation of claim 1 is met by the disclosure of Hollatz et al.

5. Applicant's arguments with respect to claim 37 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1, 6-10, 13-15, 18-23, 25, 30-34, 39, 42, and 43** are rejected under 35 U.S.C. 103(a) as being unpatentable over Flake et al [U.S. Patent No. 5,832,451] in view of Gardener et al [US 2002/0178034] and Hollatz et al [US 6,333,980].

As per **claims 1, 14, and 25**, Flake et al discloses a method for execution by one or more processor, the method for providing travel services, the method comprising:

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receiving by the one or more processors data from a client system to insert into a traveler database having traveler information for a plurality of travelers (col 3, lines 46-52; col 8, lines 33-36; see Fig. 1);

receiving by the one or more processors a request from a travel arranger for at least one travel service (col 7, lines 1-14); .

requesting information regarding the at least one travel service from a Global Distribution System (GDS) (col 18, line 67-col 19, line 1);

retrieving by the one or more processors traveler data from the traveler database, wherein the traveler data includes at least a portion of the traveler information; and displaying the traveler data in conjunction with the information from the GDS (col 2, lines 19-24; col 7, lines 16-27, col 19, lines 2-15, displays for the agent {arranger} the requesting customer's business/ and or individual profile information, along with all CRS information); and

deferring a task related to the travel request [col 7, lines 28-44; col 8, lines 1-17], the task associated with a skill group [col 8, lines 18-47; col 1, lines 65-67; col 2, lines 1-6].

While Flake et al discloses receiving data from a client system to insert into a traveler database having traveler information for a plurality of travelers (col 3, lines 46-52; col 8, lines 33-36; see Fig. 1), Flake et al does not explicitly disclose receiving data for a plurality of travelers. However, mere duplication of parts has no patentable significance unless new and unexpected result is produced, see *In re Harza*, 124 USPQ 378 (CCPA 1960).

Flake et al does not explicitly disclose associating in the traveler database a subset of the plurality of travelers with a travel arranger;

displaying a user interface providing the subset of the plurality of travelers associated with the travel arranger on a display coupled to the one or more processors;

receiving through the user interface a selection of a traveler from the subset of the plurality of travelers associated with the travel arranger; and

retrieving traveler data for the selected traveler from the traveler database.

However, Gardener et al discloses a customer profile database that stores every booking [0082]. Gardener et al further discloses allowing a travel planner to retrieve a travel profile for a second or subsequent traveler (i.e. a traveler associated with a travel planner) [0085, Examiner interprets a subset to include a “subsequent traveler”]. It would have been obvious to one of ordinary skill in the art to include in the travel reservation system of Flake et al the ability to associate, display, and select a subset of travelers associated with a travel arranger as taught by Gardener since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of

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ordinary skill in the art would have recognized that the results of the combination were predictable. Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Flake et al to include the method disclosed by Gardener et al to facilitate retrieval of the travel arranger's clients.

Flake et al does not disclose querying a call management system to receive data indicating an availability of travel counselors, the travel counselors associated with one or more skill groups, wherein a travel counselor is available when the travel counselor is not processing a call; upon determining that a number of available travel of counselors within the skill group associated with the task is above a predetermined threshold, routing the task to a travel counselor within the skill group for further processing the task. However, Hollatz et al discloses querying a call management system to receive data indicating an availability of travel counselors [col 2,lines 41-46], the travel counselors associated with one or more skill groups [col 2, lines 17-24], wherein a travel counselor is available when the travel counselor is not processing a call [col 6, lines 1-6]; upon determining that a number of available travel counselors within the skill group associated with the task is above a predetermined threshold, routing the task to a travel counselor within the skill group for further processing the task, wherein the predetermined threshold is set to insure that one or more travel counselors are available to answer incoming phone requests [col 7,lines 5-10]. It would have been obvious to one of ordinary skill in the art to include in the travel reservation system of Flake et al the ability to determine that a number of available travel counselors within the skill group associated with the task is above a predetermined threshold and route the task to a

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travel counselor within the skill group for further processing the task as taught by Hollatz et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable. Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Flake et al in view of Gardener et al to include the method disclosed by Hollatz et al so that a caller is connected in a timely fashion to an agent with the highest proficiency necessary to handle the call, as suggested by Hollatz et al (col 2, lines 8-14).

As per **claims 6, 19, and 30**, Flake et al further discloses wherein the at least one travel service includes an airline reservation service (col 3, lines 26-29).

As per **claims 7, 20, and 31**, Flake et al further discloses wherein the at least one travel service includes a hotel reservation service (col 3, lines 26-29).

As per **claims 8, 21, and 32**, Flake et al further discloses wherein the at least one travel service includes a rental car reservation service (col 3, lines 26-29).

As per **claims 9, 22, and 33**, Flake et al further discloses wherein the at least one travel service includes a train reservation service (col 26-29).

As per **claims 10, 23, and 34**, Flake et al further discloses wherein the at least one travel service includes a limousine reservation service (col 26-29).

As per **claim 13**, Flake et al further discloses further comprising: retrieving corporate travel data, said data including at least one travel policy; determining a valid

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travel service option from the information from the GDS in accordance with the at least one travel policy (col 3, lines 55-65).

As per **claim 15**, Flake et al further discloses wherein the at least one GDS includes the Sabre system (col 3, lines 22-25).

As per **claim 18**, Flake et al further discloses wherein the at least one GDS includes the Worldspan system (col 3, lines 26-29).

As per **claim 24**, Flake et al further discloses further comprising a call management system operative to forward requests to a user of the travel services component (col 8, lines 4-16).

As per **claims 39, 42, and 43**, Flake et al does not disclose querying one or more database to identify unused travel documents; and presenting data regarding the unused travel documents on a report. However, Gardener et al discloses identifying used and unused portions of an itinerary and providing a refund for the unused portions [0170-0174]. It would have been obvious to one of ordinary skill in the art to include in the travel reservation system of Flake et al the ability to querying to identify unused travel documents and reporting the unused documents as taught by Gardner et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

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8. **Claims 4 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Flake et al [U.S. Patent No. 5,832,451] in view of Gardener et al [US 2002/0178034] and Hollatz et al [US 6,333,980] as applied to claim 1 above, and further in view of Bull et al [U.S. Patent No. 5,995,943].

As per **claims 4 and 28**, Flake et al in view of Gardener et al and Hollatz et al disclose all the limitations of claims 1 and 2. Flake et al in view of Gardener et al and Hollatz et al do not disclose wherein routing the task includes determining that a travel related service has become available. However, Bull et al discloses a method for finding a requested service that was not yet available and monitoring information additions so that the user may be provided the information when it is available (col 6, lines 5-15). It would have been obvious to one of ordinary skill in the art to include in the travel reservation system of Flake et al in view of Gardener et al and Hollatz et al, the ability to determine that a travel related service has become available as taught by Bull et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

9. **Claims 11, 35, 38, and 41** are rejected under 35 U.S.C. 103(a) as being unpatentable over Flake et al [U.S. Patent No. 5,832,451] in view of Gardener et al [US

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2002/0178034] and Hollatz et al [US 6,333,980] as applied to claim 1 above, and further in view of Iyengar et al [U.S. Patent No. 6,360,205].

As per **claims 11 and 35**, Flake et al in view of Gardener et al and Hollatz et al disclose all the limitations of claim 1. Flake et al in view of Gardener et al and Hollatz et al do not disclose wherein retrieving traveler data from the traveler database includes retrieving data regarding a previous itinerary and further comprising copying the data regarding the previous itinerary into a current itinerary. However, Iyengar et al discloses accessing a database record for a traveler from a previous transaction to copy that data into a current request (col 8, lines 9-30). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Flake et al in view of Gardener et al and Hollatz et al, to include the method disclosed by Iyengar et al. Iyengar et al provides the motivation that the information from the previous transaction so that the request can be pre-populated with information and the user can avoid typing the information again (col 8, lines 9-30).

As per **claims 38 and 41**, Flake et al in view of Gardener et al and Hollatz et al disclose all the limitations of claim 1. Flake et al in view of Gardener et al and Hollatz et al do not disclose further retrieving details from a previous travel order for a traveler; and copying at least a portion of the details from the previous travel order to a user interface for a current travel order for the traveler. However, Iyengar et al discloses accessing a database record for a traveler from a previous transaction to copy that data into a current request (col 8, lines 9-30). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Flake et

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al in view of Gardener et al and Hollatz et al, to include the method disclosed by Iyengar et al. Iyengar et al provides the motivation that the information from the previous transaction so that the request can be pre-populated with information and the user can avoid typing the information again (col 8, lines 9-30).

10. **Claims 12 and 36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Flake et al [U.S. Patent No. 5,832,451] in view of Gardener et al [US 2002/0178034] and Hollatz et al [US 6,333,980] as applied to claim 1 above, and further in view of Harris et al [US 2002/0108109].

As per **claims 12 and 36**, Flake et al in view of Gardener et al and Hollatz et al disclose all the limitations of claim 1. Flake et al in view of Gardener et al and Hollatz et al do not explicitly disclose wherein retrieving traveler data from the traveler database includes retrieving data regarding a first traveler's itinerary and further comprising copying the data regarding the first traveler's itinerary into a second traveler's itinerary. However, Harris et al discloses that a user inputs travel data for multiple passengers to generate a profile and that possible itineraries are presented based on the user's profile [0048]. Thus, suggesting that the first traveler's itinerary and the second traveler's itinerary include the same information as retrieved from the first itinerary. It would have been obvious to one of ordinary skill in the art to include in the travel reservation system of Flake et al, modified with Gardener et al and Goss et al, the ability to copy the data regarding the first traveler's itinerary into a second traveler's itinerary as taught by Harris

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et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

11. **Claims 16 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Flake et al [U.S. Patent No. 5,832,451] in view of Gardener et al [US 2002/0178034] and Hollatz et al [US 6,333,980] as applied to claim 1 above, and further in view of Lynch et al [U.S. Patent No. 6,119,094].

As per **claims 16 and 17**, Flake et al in view of Gardener et al and Hollatz et al disclose all the limitations of claim 14. Flake et al in view of Gardener et al and Hollatz et al do not disclose wherein the at least one GDS includes the Galileo system and the Amadeus system. However, Lynch et al discloses a travel reservation system that includes the Galileo system and the Amadeus system (col 4, lines 54-60). It would have been obvious to one of ordinary skill in the art to include in the travel reservation system of Flake et al in view of Gardener et al and Hollatz et al, a GDS that includes the Galileo system and the Amadeus system as taught by Lynch et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

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12. **Claim 37** is rejected under 35 U.S.C. 103(a) as being unpatentable over Flake et al [U.S. Patent No. 5,832,451] in view of Gardener et al [US 2002/0178034] and Hollatz et al [US 6,333,980] as applied to claim 25 above, and further in view of Webber et al (US 5,021,953).

As per **claim 37**, Flake et al in view of Gardener et al and Hollatz et al disclose all the limitations of claim 25. Flake et al in view of Gardener et al and Hollatz et al do not disclose retrieving a traveler type of a plurality of traveler types;

retrieving corporate travel data, said data including at least one travel policy, the travel policy associated with one or more of the plurality of traveler types;

determining one or more valid travel service options from the information from the GDS in accordance with the at least one travel policy and the traveler type; and

limiting the display to one or more valid travel service options. However, Webber et al discloses finding a valid travel itinerary for a traveler based on a travel policy for the type of traveler (col 2, lines 3-31). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Flake et al in view of Gardener et al and Hollatz et al to include the method disclosed by Webber et al to automatically find travel options that apply to a customer without taking up valuable time of a travel arranger, as suggested by Webber et al (col 2, lines 32-59).

13. **Claims 40 and 44** are rejected under 35 U.S.C. 103(a) as being unpatentable over Flake et al [U.S. Patent No. 5,832,451] in view of Gardener et al [US

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2002/0178034] and Hollatz et al [US 6,333,980] as applied to claim 1 above, and further in view of Buchanan (US 6,009,408).

As per **claims 40 and 44**, Flake et al in view of Gardener et al and Hollatz et al disclose all the limitations of claim 1. Flake et al in view of Gardener et al and Hollatz et al do not disclose storing a plurality of payment accounts for a traveler, each of the plurality of payment accounts associated with a mode of travel; and selecting a payment account from the plurality of payment accounts in accordance with a mode of travel for a current travel order. Buchanan discloses selecting a payment account from a plurality of payment accounts in accordance with a mode of travel (col 10, lines 5-40; payments from accounts are provided based on whether airline or car rental). It would have been obvious to one of ordinary skill in the art to include in the travel reservation system of Flake et al in view of Gardener et al and Hollatz et al, the ability to select an payment account according to the mode of travel as known in the art since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHANNON S. SALIARD whose telephone number is (571)272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Primary Examiner, Art Unit 3628